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10/776,363

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Timothy J. Walpus

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EXAMINER

ZHENG, JACKY X

ART UNIT

PAPER NUMBER

2625

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/776,363

**Applicant(s)**

WALPUS ET AL.

**Examiner**

JACKY X. ZHENG

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 and 21 is/are pending in the application.
- 4a) Of the above claim(s) 12-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on February 10, 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

#### **DETAILED ACTION**

1. This office action is in response to applicant's amendments and remarks filed on June 17, 2008.
2. **Claim 1** has been amended.
3. **Claim 21** is newly added for consideration.
4. **Claims 12-20** have been withdrawn from consideration as of previous record.

Note: This application contains claims 12-20, drawn to an invention nonelected without traverse in the reply filed on January 16, 2008. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

#### ***Claim Objections***

5. **Claim 1** is objected to under 37 CFR 1.75 as being a substantial duplicate of newly added claim 21. The only difference between the independent claims 1 and 21 is that claim 21 is recited with a "a paper advancement monitor" and whereas claim 1 is cited with "a monitor". Since the only difference is clearly nominative, rather than substantive, claims 1 and 21 are substantial duplicates of each other as being drawn to the method of substantially identical limitations. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

#### ***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

Art Unit: 2625

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. **Claim 21** is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

8. Claim 21 is *newly* added and recited with limitations of "*a paper advancement monitor*", Applicant has not pointed out where the new claim is supported, nor does there appear to be a written description of the claim limitation "*a paper advancement monitor*" in the application as filed. Therefore, claim 21 is rejected for failing to comply with the written description requirement, at least until the further clarification from Applicant indicating that such limitations are indeed being *explicitly* disclosed in the original disclosure at the time of the application filed.

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. Claim 21 recites the limitation of "*a paper advancement monitor*" in instant claim. Such a limitation has not been *explicitly* depicted with sufficient descriptions in the instant claim, for properly limiting or clearly defining the scope of the claim limitation "*a paper advancement monitor*". In addition, in "Remarks" filed on June 17, 2008, Pg. 10, 4<sup>th</sup> paragraph, Applicant has

indicated, “A ‘paper advancement monitor’ is clearly not a traditional ‘display screen monitor’ like the monitor 34 of Hopper” provided with no further descriptions. Without any further descriptions provided neither in the claim (claim 21), nor was any depictions associating to “a paper advancement monitor” in the original disclosure that constitutes as an explicit definition of such a claim limitation for properly limiting the scope; Examiner respectfully submits that the metes and bounds of such a limitation is unable to be clearly determined, which renders the claim scope indefinite. Further clarification is respectfully requested.

#### ***Response to Arguments***

12. Applicant's arguments filed on June 17, 2008 have been fully considered but they are not persuasive for at least the following reasons.

13. In re Applicant's remarks from Pg. 9, 3<sup>rd</sup> Para. to Pg. 10, 2<sup>nd</sup> Para., regarding the rejection made under 35 U.S.C. §102(e) with regard to Claim 1, Applicant asserts that: **a)** “... the monitor 34 of Hopper et al. ‘attached to the computer 2’, and the computer 2 is further ‘in communication with the printer 4a and 4b over a network 6...’, the monitor 34 of Hopper et al. is separated from the printers 4a and 4b by at least the computer 2 and the network 6, hence Hopper et al. fails to teach that the monitor 34 is “coupled to the printer” as recited in claim 1; **b)** “the monitor 34 of Hopper et al. that is attached to a computer 2 appears to be a display device of the computer 2..., the monitor 34 might receive vide input from the computer... this is opposite of the monitor of claim 1 that is operable to provide an indication of status associated with the printer to a microprocessor based system controller”; and **c)** “... the monitor 34 of Hopper et al. does not appears to be display screen and does not ‘monitor’ anything... the monitor of claim 1 is not a traditional ‘display screen monitor’, but rather a monitor operable to

*actually transmit status signals based on what is monitored...".* Applicant's argument(s) are fully and carefully considered, however found to be not persuasive for at least the following reasons.

- a. With regard to argument a), as admitted and agreed by Applicant ("*Remarks*", *i.e.* Pg. 9, 5<sup>th</sup> Para.) that the monitor 34 of Hopper et al. is connected (or coupled) to the printers 4a and 4b, through the computer 2 and network 6. Examiner respectfully submits that the disclosure of Hopper et al. (as also admitted by Applicant) is satisfied on the broadly claimed scope of "a monitor coupled to the printer" as recited in claim 1 for at least the reason that the instant claim language does not further required the monitor claimed to be directly coupled to the printer without any intervention or medium in between. Therefore, the *broadest reasonable interpretation* of such limitation as connecting or coupling the monitor to the printer *indirectly*, such as connecting through the computer and/or networks is deemed to be reasonable and proper for one of ordinary skill in the art.
- b. With regard to argument b), Examiner respectfully submits that it is irrelevant that whether or not "the monitor 34 might receive video input from the computer" as the claim language of instant claim in argument has not specifically recited or requires any limitations relating to transmission directions of the monitor signals. In order for such specific limitations to be considered in further prosecution, Examiner respectfully suggest in amending and/or adding such claim limitations and also supported by original disclosure. Finally, the specific limitation in argument, "*operable to provide an indication of status associated with the printer to a microprocessor based system*

*controller*”, merely requires to provide indication of status associated with the printer, whereas in Hopper et al., i.e. Fig. 1, Part 34 and col. 3, ln 27-28 (also discussed in previous Office Action), clearly disclose “printer status window 32 displayed within a monitor 34”, which clearly reads on the limitation of “providing an indication of status associated with the printer (or printer status)” on a monitor.

c. With regard to argument c), Examiner respectfully submits that mere allegation of “*the monitor of claim 1 is not a traditional ‘display screen monitor’*” and further asserting the monitor is “... *rather a monitor operable to actually transmit status signals based on what is monitored*” without any supports by instant claim languages is considered to be not persuasive. In addition, Examiner respectfully submits, although the claims are interpreted in light of the specification, however limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Applicant is reminded that in order for such limitations to be considered, the claim languages require to *specifically* recite such limitations in the claim, otherwise *broadest reasonable* interpretations of the broadly claimed limitations are deemed to be proper.

Therefore, for at least the reasons set forth above, the rejection made under 35 U.S.C. §102 (c) over Hopper et al. with regard to claim 1 is remained proper and therefore maintained for the record.

14. In re Applicant’s remarks from Pg. 10, 4<sup>th</sup> Para. to Pg. 11, 1<sup>st</sup> Para., regarding the rejection made under 35 U.S.C. §102(c) with regard to Claims 2, Examiner respectfully submits

that Applicant's argument(s) are fully and carefully considered, however found to be not persuasive for at least the following reasons.

- a. With respect to the argument at the monitor and the printers are separated by at least the computer and the network, Examiner again respectfully submits that the disclosure of Hopper et al. (as also admitted by Applicant) is satisfied on the broadly claimed scope of "a monitor coupled to the printer" as recited in claim 1 for at least the reason that the instant claim language does not further required the monitor claimed to be directly coupled to the printer without any intervention or medium in between. Therefore, the *broadest reasonable interpretation* of such limitation as connecting or coupling the monitor to the printer *indirectly*, such as connecting through the computer and/or networks is deemed to be reasonable and proper for one of ordinary skill in the art.
- b. Further, with respect to the argument that, quotes "*the monitor 34 of Hopper et al. may or may not include a controller, the monitor 34 does not necessarily have to do so. For example, the monitor 34 may be an analog monitor, for example, similar to one of the early television sets with a controller*" (see "remarks", Pg. 11, first para.), Examiner respectfully re-submits that, for one of ordinary skill in the art, a monitor (similar to the one in Hopper et al. "monitor 34") will inherently requires at least one (if not more than just one) processor, microprocessor, microcontroller, or a controller circuitry of certain type, for signal processing. Further, as Applicant has failed to proven the contrary in at least one exception, and instead (Applicant) indicated, "*for example, the monitor 34 may be an analog monitor, for example, similar to one of the early television sets with a controller*" ("remarks", first para. of Pg. 11), which indicates the further



admission in that even one of the early television sets are with a controller. Examiner is also in agreement with Applicant that even one of the early television sets are with a controller.

Therefore, for at least the reasons set forth above, the rejection made under 35 U.S.C. §102 (c) over Hopper et al. with regard to claim 2 is remained proper and therefore maintained for the record.

18. In re Applicant's remarks from Pg. 11, 2<sup>nd</sup> – 4<sup>th</sup> Para., regarding the rejection made under 35 U.S.C. §102(e) with regard to Claim 3, Applicant asserts that previous Office Action has cited passages from Hopper et al. that previous office action cited, "in Hopper et al., col. 6, ln 8-10" and "*produce the final estimate of the amount of toner that will be depleted*" for claim 3.

Examiner respectfully submits that it appears that Applicant has misread the citation from previous office action, and the citation which was pointed out by Applicant appears to the citation for dependent claim 4 (not claim 3); therefore Examiner respectfully submits that such arguments are incorrect. Further, reiteration of the claim limitations in claim 3 is provided herein, as Hopper et al., i.e. column 5, lines 37-67, disclose determination by "*printer monitor program 30*"; specifically column 5, lines 44-47, disclose "*The printer monitor 30 determines (at block 132) the number of pages in the print job, the compression ratio ...*"; more importantly, in column 5, lines 53-60, discloses "*the printer monitor 30 then calls (at block 134) the print coverage function 56 .... the print coverage function returns the print coverage or number of square inches or printed matter for the entire print job, which may comprise one or more pages of output ...*", which clearly reads on the limitation in argument, "determine an actual length of the stock quantity utilized". Therefore, for at least the reasons set forth above, the rejection

made under 35 U.S.C. §102 (c) over Hopper et al. with regard to claim 3 is remained proper and therefore maintained for the record, as well as for the corresponding dependent claims as Applicant has not pointed any further deficiency of the rejection.

(The grounds of rejection and/or objection are maintained for at least the responses set forth above, reasons of record set forth previously, and also replicated and provided in below.)

***Claim Rejections - 35 USC § 102***

19. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

20. **Claims 1-11 and 21** are rejected under 35 U.S.C. 102(c) as being anticipated by **Hopper et al.** (U.S. Patent No. 7,061,391).

**With regard to claim 1**, the claim is drawn to a retrofitted printing system including an existing printer and printer controller combination, the retrofitted printing system comprising: a monitor coupled to the printer, wherein the monitor is operable to provide an indication of status associated with the printer (*see Hopper et al.*, i.e. *Figure 1, Part 34, "Monitor"*; *column 3, lines 27-28, "printer status window 32 displayed within a monitor 34"*); and a microprocessor based system controller coupled to the monitor and the printer controller (*see Hopper et al.*, i.e. *Figure 1, Part 2, "computer"*; *column 3, lines 65-67*), wherein the system controller includes a computer readable medium, and wherein the computer readable medium includes instructions

executable by the microprocessor to (see *Hopper et al.*, i.e. column 3, lines 24-27, "Computer 2 includes a printer monitor program 30 that generates information through a graphical user interface on the amount remaining for recourses.."); receive an operator command; format the operator command into a command compatible with the printer and printer controller combination; provide the command compatible With the printer and printer controller combination to the printer controller; and receive the indication of status associated with the printer from the monitor (see *Hopper et al.*, i.e. column 5, lines 13-36, "printer monitor 30" (also known as "printer monitor program 30"); also see Figure 4 and claim 1;).

**With regard to claim 2**, the claim is drawn to the retrofitted printing system including an existing printer and printer controller combination of claim 1, wherein the monitor comprises: an encoder, wherein the encoder is coupled to a stock advance mechanism of the printer (see *Hopper et al.*, i.e. column 3, lines 12-23, different types of sensors, such as: "electromechanical sensor" for paper, "electrical sensor" for toner and etc.) ; and a monitor controller (one of ordinary skill in the art will realize that there will inherently be a "controller" (processors or microprocessors of certain types) within the "Monitor" as illustrated in Figure 1, Part 34), wherein the monitor controller is communicably coupled to the encoder and to the system controller, and wherein the monitor controller is operable to format information from the encoder to a format compatible with the system controller (see *Hopper et al.*, i.e. Figure 1, "Monitor 34" is coupled to "Computer 2" and also coupled to "Resource Sensors 16a, 18a, 20a of Printer 1" (and "Resource Sensors 16b, 18b and 20b" of Printer 2) through "Network" (or through any other types of connection generally known in the art, such as: parallel, serial, USB interfaces, disclosed in Column 3, lines 5-12;).

**With regard to claim 3**, the claim is drawn to the retrofitted printing system including an existing printer and printer controller combination of claim 1, wherein a stock quantity is installed on the printer such that the printer is operable to print on the stock quantity, and wherein the computer readable medium further includes instructions executable by the microprocessor to: determine an actual length of the stock quantity utilized (*see Hopper et al.*, i.e. column 5, lines 37-67, disclose determination by "printer monitor program 30" the depletion rate per square inch of print coverage based on parameters such as: the number of pages in the print job, the compression ratio, file size, contrast, and boldness of the print job; also *Hopper et al.*, i.e. column 5, lines 37-67, disclose determination by "printer monitor program 30"; specifically column 5, lines 44-47, disclose "The printer monitor 30 determines (at block 132) the number of pages in the print job, the compression ratio ..."; more importantly, in column 5, lines 53-60, discloses "the printer monitor 30 then calls (at block 134) the print coverage function 56 .... the print coverage function returns the print coverage or number of square inches or printed matter for the entire print job, which may comprise one or more pages of output ...").

**With regard to claim 4**, the claim is drawn to the retrofitted printing system including an existing printer and printer controller combination of claim 3, wherein the operator command indicates a start of particular print job, and wherein the computer readable medium further includes instructions executable by the microprocessor to: access the particular print job; and based at least in part on the accessed print job, determining an optimum length of the stock quantity to be used (*see Hopper et al.*, i.e. column 5, line 37 - column 6, line 34, beside disclosing determination by "printer monitor program 30" the depletion rate per square inch of print coverage based on parameters such as: the number of pages in the print job, the

*compression ratio, file size, contrast, and boldness of the print job; Hopper et al. further disclose the calculation of "final estimate of the amount of toner that will be depleted (col. 6, line 9)" or "optimum length of the stock quantity to be used"; also see Figure 5;).*

**With regard to claim 5,** the claim is drawn to the retrofitted printing system including an existing printer and printer controller combination of claim 4, wherein the computer readable medium further includes instructions executable by the microprocessor to: determine an actual length remaining on the stock quantity used (see *Hopper et al.*, i.e. Figure 4, Step 110, "Display needle at position in gauge pointing to toner\_left value and display amount of toner left and percentage left"). .

**With regard to claim 6,** the claim is drawn to the retrofitted printing system including an existing printer and printer controller combination of claim 5, wherein the computer readable medium further includes instructions executable by the microprocessor to: compare the actual length remaining on the stock quantity and the optimum length of the stock quantity to be used (see *Hopper et al.*, i.e. Figure 5, Step 148, compare "toner\_left"(remaining amount) to "toner\_used"(amount required for the print job)).

**With regard to claim 7,** the claim is drawn to the retrofitted printing system including an existing printer and printer controller combination of claim 6, wherein the system controller includes a display, and wherein the computer readable medium further includes instructions executable by the microprocessor to: display the actual length remaining on the stock quantity on the display and display the optimum length of the stock quantity to be used on the display (see *Hopper et al.*, i.e. Figure 4, Step 110, "Display needle at position in gauge pointing to toner\_left value and display amount of toner left and percentage left"; also Figures 2 and 7;).

**With regard to claim 8**, the claim is drawn to the retrofitted printing system including an existing printer and printer controller combination of claim 4, wherein the computer readable medium further includes instructions executable by the microprocessor to: compare the actual length of the stock quantity utilized and the optimum length of the stock quantity to be used (*see Hopper et al.*, i.e. Figure 6, Step 186, compare "pages printed" ("actual") to amount calculated by "page\_per\_gram" times "max\_toner", to determine whether or not within "an acceptable level of error", see also column 7, line 66 - column 7, line 1).

**With regard to claim 9**, the claim is drawn to the retrofitted printing system including an existing printer and printer controller combination of claim 8, wherein the computer readable medium further includes instructions executable by the microprocessor to: determine a waste associated with the particular print job (*see Hopper et al.*, i.e. Figure 6, Step 186, compare "pages printed" ("actual") to amount calculated by "page\_per\_gram" times "max\_toner", to determine whether or not within "an acceptable level of error", see also column 7, line 66 - column 7, line 1)..

**With regard to claim 10**, the claim is drawn to the retrofitted printing system including an existing printer and printer controller combination of claim 9, wherein the computer readable medium further includes instructions executable by the microprocessor to: log a status of the particular print job in relation to an operator associated with the particular print job (*see Hopper et al.*, i.e. Figure 5, Step 130, receiving print job file); and based at least in part on the status of the particular print job, form a rating of the operator (*see Hopper et al.*, i.e. Figure 5, Step 160, display toner needle at zero at gauge "or form a rating").

**With regard to claim 11**, the claim is drawn to the retrofitted printing system including an existing printer and printer controller combination of claim 1, wherein the system controller includes a graphical user interface (see Hopper et al., i.e. Figure 1, "Computer 2 (or the likes)" connected to "Monitor 34", GUI (such as in Figures 2 and 7) displayed in "Monitor 34").

**With regard to claim 21**, the claim is drawn to a retrofitted printing system including an existing printer and printer controller combination, the retrofitted printing system comprising the substantially identical limitations or ones "similar to claim 1" (as indicated by Applicant, on Pg. 10, 4<sup>th</sup> Para.) (The claim is therefore rejected under the same ground for at least the reasons set forth above. See the detailed discussion of the claim 1 above).

### ***Conclusion***

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (Applicant is respectfully suggested to consider at least following prior arts prior to filing of an amendment).

- A. Garr et al. (U.S. Patent No. 5,802,420) disclose a method and apparatus for predicting and displaying toner usage of a printer (i.e. Figure 7).
- B. Tani (U.S. Pub. No. 2002/0059106 A1) discloses a consumable goods and services providing system (i.e. Figures 1, 4 and 5).
- C. Maruyama et al. (U.S. Pub. No. 2005/0105934 A1) disclose a cartridge recycling information apparatus corresponding method and cartridge to be recycled.
- D. Kotani et al. (U.S. Patent No. 5,216,464) disclose an image forming apparatus having replaceable element which is replaced based on frequency of use (i.e. Figures 2 and 4).

- E. Beard et al. (U.S. Patent No. 6,940,613) disclose a system for managing replaceable modules in a digital print apparatus.
- F. Kahleck et al. (U.S. Patent No. 5,673,190) disclose a multipurpose remote office machine management system.
- G. Lee (U.S. Patent No. 5,708,912) discloses a method and device for displaying an exchange message for a process cartridge with a process cartridge comprising non-volatile memory for storing data values.
- H. Springett (U.S. Patent No. 5,636,032) discloses a system and method for informing a user of a marking material status in a printing environment.

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

23. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacky X. Zheng whose telephone number is (571) 270-1122. The examiner can *normally* be reached on Monday-Friday, 7:30 a.m.-5p.m., Alt. Friday Off.

25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jacky X. Zheng/

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Examiner, Art Unit: 2625  
September 9, 2008

/King Y. Poon/

Supervisory Patent Examiner, Art Unit 2625